



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael Kund et al.

Serial No.: 10/565,578
(Priority Application No. DE 103 33 557.9)
(International Application No. PCT/DE2004/001588)

Filed: January 23, 2006
(Priority Date: July 23, 2003)
(International Filing Date: July 21, 2004)

Docket No.: I433.210.101/13.848

Title: MEMORY CELL AND METHOD FOR FABRICATING A MEMORY
DEVICE (As Amended)

**RESPONSE TO THE NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the "Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office" (see enclosed copy), an executed Declaration for Patent Application, Power of Attorney & Designation of Correspondence Address by the named inventors is enclosed. A fee is not required, however, at any time during the pendency of this application, the Patent Office is hereby authorized to charge any additional fees or credit overpayments to Deposit Account No. 500471.

**Response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States
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Applicants assume the application is now in proper order and in condition for examination. Please direct any inquiries to the undersigned attorney at (612) 767-2502.

Respectfully submitted,

Michael Kund et al.,

By their attorneys,

DICKE, BILLIG & CZAJA, PLLC

Fifth Street Towers, Suite 2250

100 South Fifth Street

Minneapolis, MN 55402

Telephone: (612) 767-2502

Facsimile: (612) 573-2005

Dated: August 14, 2006

PPK:cmj


Paul P. Kempf

Reg. No. 39,727

CERTIFICATE UNDER 37 C.F.R. 1.10:

"Express Mail" mailing label number: EV309834858US

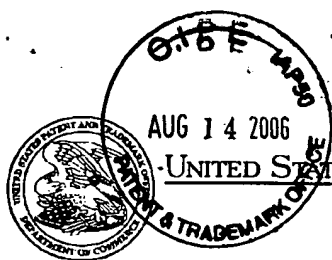
Date of Deposit: August 14, 2006

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22317-1450.

By 

Name: Adrienne Maiers

PCT



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/565,578	Michael Kund	1433.210.101/13.848

25281
 DICKE, BILLIG & CZAJA, P.L.L.C.
 FIFTH STREET TOWERS
 100 SOUTH FIFTH STREET, SUITE 2250
 MINNEAPOLIS, MN 55402



INTERNATIONAL APPLICATION NO.	
PCT/DE04/01588	
I.A. FILING DATE	PRIORITY DATE
07/21/2004	07/23/2003

CONFIRMATION NO. 2884

371 FORMALITIES LETTER



0000000019231515

Date Mailed: 06/13/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/23/2006
- English Translation of the IA filed on 01/23/2006
- Copy of the International Search Report filed on 01/23/2006
- Copy of IPE Report filed on 01/23/2006
- Copy of Annexes to the IPE filed on 01/23/2006
- Preliminary Amendments filed on 01/23/2006
- Information Disclosure Statements filed on 01/23/2006
- Request for Immediate Examination filed on 01/23/2006
- U.S. Basic National Fees filed on 01/23/2006
- Substitute Specification filed on 01/23/2006
- Priority Documents filed on 01/23/2006

US ACTION

Due Date Aug 14, 2006
 OA _____ Final _____
 Advisory Action _____
 Msg. Pts. X Corr. Paper _____
 Issue/Publ. Fee _____ Drwgs. _____
 Appeal _____
 Other _____

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

Additionally the following defects have been observed:

- Annexes have not been entered because not page for page substitution.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,578	PCT/DE04/01588	1433.210.101/13.848

FORM PCT/DO/EO/905 (371 Formalities Notice)



IAP7 Rec'd PCT/PTO 14 AUG 2006

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Title: MEMORY CELL AND METHOD FOR FABRICATING A MEMORY DEVICE (As Amended)

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet containing Certificate of Mailing under 37 C.F.R. 1.10
- ☒ Response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) 2 pg(s).
- ☒ Executed Declaration, Power of Attorney & Designation of Correspondence Address 5 pgs.
- ☒ Copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the DO/EO/US 2 pgs.
- ☐ Petition for a 1 pg.
- ☒ Executed Assignment Document 3 pg(s); Recordation Form Cover Sheet 1 pg(s).
- ☐ The Commissioner is authorized to charge _____ to Deposit Account No. 500471 to cover the Extension of Time fee.
- ☒ The Commissioner is authorized to charge \$ **40.00** to Deposit Account No. 500471 to cover the Assignment Recordation fee.
- ☐ Other: _____
- ☒ Return Postcard

Customer No. 025281

By 

Name: Paul P. Kempf (Reg. No. 39,727)

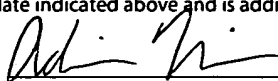
Please consider this a Petition for Extension of Time for a sufficient number of months to enter these papers, if appropriate. At any time during the pendency of this application, please change any additional fees or credit overpayment to Deposit Account No. 500471.

CERTIFICATE UNDER 37 C.F.R. 1.10:

"Express Mail" Label No.: EV309834858US

Date of Deposit: August 14, 2006

The undersigned hereby certifies that this paper or papers, as described herein, are being deposited in the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.



Name: Adrienne Maiers